

## Message Text

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ORIGIN COME-00

INFO OCT-01 EUR-12 ISO-00 EB-07 CIAE-00 PM-03 INR-07 L-02

ACDA-10 NSAE-00 PA-02 PRS-01 SP-02 USIA-15 TRSE-00

SAJ-01 DODE-00 /063 R

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R 071910Z APR 75

FM SECSTATE WASHDC

TO USMISSION NATO

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E.O. 11652: N/A

TAGS: BEXP, BE

SUBJECT: PRODUCT OPPORTUNITY: NATO INTERNATIONAL

--- COMPETITIVE BIDDING (ICB) PROCEDURES

1. IT HAS BEEN BROUGHT TO THE ATTENTION OF USDOC THAT NICSMA CONTRACTING AUTHORITIES ARE SOLICITING INFORMATION FROM MANUFACTURERS IN THE FORM OF A NICSMA CONTRACTORS' REGISTER (NICSMA CB/CP/520/129 OF 3 MAR 75) TO QUOTE MAINTAIN AND UPDATE ESSENTIAL INFORMATION REGARDING PROSPECTIVE CONTRACTORS FOR THE NICS PROJECTS UNQUOTE. IT DOES NOT APPEAR THAT THE NICSMA REQUEST FOR INFORMATION HAS BEEN EXTENDED TO U.S. MANUFACTURERS, BUT HAS BEEN LIMITED TO EUROPEAN FIRMS. THIS PROCEDURE PROVIDES A MEANS OF COMPILING A LIST OF BIDDERS WITH THE POTENTIAL FOR COMPETITIVE DISADVANTAGES ACCRUING TO THOSE FIRMS FROM WHOM INFORMATION HAS NOT BEEN SOLICITED. ALTHOUGH THE LIST PRESUMABLY WOULD NOT BE MADE AVAILABLE TO HOST GOVERNMENTS, THE CENTRALIZATION IN NICSMA FOR THE NICS CONTRACT AWARDS MAKES THE MERE EXISTENCE OF A NICSMA COMPILED CONTRACTORS' UNCLASSIFIED

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REGISTER A TOOL WOSE QUESTIONABLE BENEFIT APPEARS TO BE

GROSSLY OUTWEIGHED BY ITS POTENTIAL FOR MISUSE.

2. COMPILATION OF BIDDERS LISTS BY NATO GOVERNMENTS FOR THE PURPOSE OF ASSESSING THE CAPABILITIES OF WOULD-BE BIDDERS TO FULLY SUPPORT NATO PROJECTS IN WHICH THEY DESIRE

TO PARTICIPATE IS A PROCEDURE WHICH BENEFITS ALL PARTICIPATING COUNTRIES, AND DOES NOT RISK INFERRING PREJUDICE TO NICSMA AUTHORITIES WHICH IS PROBABLE UNDER THE ABOVE DESCRIBED PROCEDURE. COMPILATION OF A CONTRACTORS' REGISTER BY NICSMA OFFERS THE DISTINCT OPPORTUNITY FOR PARTIALITY WHICH IN TURN COULD OPERATE TO THE DISADVANTAGE OF NATO FROM A COST STANDPOINT.

3. IF CURRENT INFORMATION REGARDING PROSPECTIVE BIDDERS, AS COMPILED BY PARTICIPATING GOVERNMENTS, IS CONSIDERED BY NICSMA AS BEING INCOMPLETE OR INACCURATE, THE MORE EQUITABLE PROCEDURE WOULD BE TO SO ADVISE THE COGNIZANT GOVERNMENTAL AUTHORITIES AND TO RECOMMEND DESIRED CHANGES OR REQUEST ADDITIONAL INFORMATION, OR BOTH.

4. IT IS REQUESTED THAT THE SCOPE OF THE NICSMA CONTRACTORS' REGISTER EFFORT BE ASCERTAINED AND THAT, IF U.S. FIRMS ARE NOT FAIRLY REPRESENTED, NICSMA CONTRACTING AUTHORITIES BE ENJOINED TO REFRAIN FROM ADDITIONAL SOLICITATIONS AND BE ASKED TO IMPLEMENT THE PROCEDURES RECOMMENDED PARA 3 ABOVE, IF NECESSARY. YOUR COMMENTS INVITED. INGERSOLL

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